

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 4, 1979
9:00 A.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino

Absent: None

Reverend Carroll Smith, Associate Pastor, University Baptist Church,
gave the Invocation.

MINUTES APPROVED

Councilmember Himmelblau moved that the Council approve as corrected the Minutes for the Regular Meeting of December 21, 1978. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmember Goodman

Noes: None

Not in Council Chamber when roll was called: Councilmember Trevino

EDUCATIONAL WEEK ON SMOKING AND HEALTH

Mayor McClellan read a proclamation designating the week of January 7-13, 1979, as Educational Week on Smoking and Health in Austin, and urged appropriate recognition thereof. DR. LYNN McCRAW and MS. DOROTHY RICHTER accepted the proclamation, and Dr. McCraw thanked the Council.

BOARDS AND COMMISSIONS

Mayor McClellan announced that the following Board and Commission appointments will be made January 11, 1979:

MH/MR - 1
Wrecker Standards Commission - 4
Medical Assistance Advisory Council - 3
Construction Advisory Committee - 4
Human Relations Commission - 7
Dental Health Advisory Council - 2
On-Going Goals Committee - 6

The following appointments will be made January 18, 1979:

Elisabet Ney Museum - 7
MH/MR Public Responsibility Committee - 3
Board of Adjustment - 2
Heating, Air-Conditioning and Refrigeration Appeals Board - 2
Library Commission - 7
Manpower Advisory Planning Council - 1
Citizen's Traffic Safety Commission - 5
Urban Transportation Commission - 5
Energy Conservation Commission - 1

In addition, 1 appointment will be made on February 1, 1979, for the Commission on the Status of Women.

EASEMENT RELEASES

Councilmember Goodman moved that the Council adopt a resolution authorizing release of the following easement:

The north seven and one-half (7.50) foot Drainage Easement out of Lot 4, Block "Y," Buckingham Ridge, Section 5, a subdivision in the City of Austin, Travis County, Texas, as recorded in Book 74, Page 91, of the Plat Records of Travis County, Texas. (Requested by Mr. Donald West of West-Leach Homes, Inc.)

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

Councilmember Goodman moved that the Council adopt a resolution authorizing release of the following easement:

The five (5.00) foot wide underground Electric and Telephone Easement located adjacent to the southwest line of Lots 27, 28 and 29, Block D of Point Vista Section Three as recorded in Volume 4833, Page 739, Travis County, Deed Records. (Requested by Mr. John Noel, P. E., representing John McPhaul, owner)

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

LICENSE AGREEMENT

Councilmember Goodman moved that the Council adopt a resolution authorizing a License Agreement for an underground tunnel (18.00 feet wide) under 8th Street between Guadalupe and Lavaca Streets, Block 81, Original City of Austin. (Requested by Mr. H. F. Hafner, representing Capital National Bank) The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

LICENSE AGREEMENT FOR A RECYCLING DEPOT

Councilmember Goodman moved that the Council postpone until January 11, 1979, a decision to cancel and/or revise the license agreement for a recycling depot on West 23rd Street granted to Michael Kleinman, representing Youth Emergency Services, Inc., on December 14, 1978. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

CONSTRUCTION CHANGE ORDER

Councilmember Goodman moved that the Council adopt a resolution approving a Construction Change Order in the amount of \$38,641.50 to Pool & Rogers Company for 1978 Repaving Program. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

ILLUMINATION AGREEMENT

Councilmember Goodman moved that the Council adopt a resolution approving authorization to enter into an Illumination Agreement with the State Department of Highways and Public Transportation for the location of R.M. Highway 2244 South to Loop 360. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

APPROVAL OF CONTRACTS

Councilmember Goodman moved that the Council adopt a resolution approving the following contract:

B. G. BOYD CONSTRUCTION CO.
6505 Brownwood Court
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Construction of an "Electric Ductline
at LaCosta Phase II and Phase III" -
\$91,964.00 C.I.P. No. 75/30-01

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

Councilmember Goodman moved that the Council adopt a resolution approving the following contract:

NICOL SCALES, INC.
1315 South Akard
Dallas, Texas

- Furnish and Install Truck Scales,
Sanitation Department
Item 1 - \$34,695.00

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

Councilmember Goodman moved that the Council adopt a resolution approving the following contract:

OSBORNE LAWN & GARDEN CENTERS
1006 West Avenue
San Antonio, Texas

- Lawn Mowers, Trimmers and Chain
Saws, All City Departments.
Item 1-7 - \$20,372.21

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

Councilmember Goodman moved that the Council adopt a resolution approving the following contract:

TRANS-TRONICS, INC.
3612 West Vickery Street
Fort Worth, Texas

- Traffic Control Flasher, Urban
Transportation Department
Item 1 - \$8,235.00 (30 units)

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

Councilmember Goodman moved that the Council adopt a resolution approving the following contracts:

Bid Award:

- Photographic Supplies, General
Services Division.

TWIN OAKS CAMERA
5839 Berkman Drive
Austin, Texas

- Items 5, 6, 15, 18, 20-26, 28, 29a,
35-39, 53, 54, 56, 57, 60, 62, 63,
65, 66, 68, 69, 70, 72, 73, 74 -
\$18,202.30.

UNIVERSITY CO-OP
2246 Guadalupe Street
Austin, Texas

- Items 27, 30-34, 40, 41, 42-52, 55,
58, 61, 64, 67, 71 - \$18,225.67

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

Councilmember Goodman moved that the Council adopt a resolution approving the following contract, which was awarded by draw..the Mayor drew lots for award of contract. The motion, seconded by Councilmember Trevino, carried by the following vote:

UNIVERSITY CO-OP
2246 Guadalupe Street
Austin, Texas

- Photographic Supplies, General
Services Division.
Items 1-4, 7-14, 16, 17, 19, 29b -
\$6,792.44.

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

Councilmember Goodman moved that the Council adopt a resolution approving the following contract:

FILTER MEDIA
Main Street
Gilberton, Pennsylvania

- Anthracite Filter Material,
Water and Wastewater Treatment
Item 1 - 250 tons
Total \$22,477.50

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

Councilmember Goodman moved that the Council adopt a resolution approving the following contract:

JOHNSON CONTROLS, INC.
San Antonio Branch Office
525 San Pedro Avenue
San Antonio, Texas

- Repair and Service of Temperature
Controls, Municipal Auditorium -
\$7,186.00

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

REJECTION OF BID

Councilmember Goodman moved that the Council adopt a resolution rejecting a bid from Tom Hinderer Construction Company in the amount of \$712,740.00 for swimming and wading projects for Parks and Recreation Department. C.I.P. Nos. 77/86-38, 74/86-09, 77/86-23, 77/86-24 and 74/86-04. (A request to send the bid to Construction Advisory Committee for their suggestion was included in the motion.) The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

BARTON CREEK WATERSHED STUDY

Councilmember Goodman moved that the Council adopt a resolution authorizing an amendment to the contract with Espey-Huston & Assoc., for services for the Barton Creek Watershed Study in the amount of \$14,800.00. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

Mayor Pro Tem Cooke asked what the status of that study is, and Dr. Maureen McReynolds, Director of the City Environmental Resource Management Department, said that there is a schedule included in the material submitted and that contract consultant studies are to be completed in June. The staff will be taking that and adding some additional information. Staff input hopefully will be completed in July or August.

CRIMINAL JUSTICE DIVISION GRANT

Councilmember Goodman moved that the Council adopt a resolution authorizing implementation of a Texas Criminal Justice Division grant entitled, "Police Communications System Design Project" in the amount of \$43,000 for the program period, January 1, 1979 through December 31, 1979. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

DENTAL PROGRAM

Councilmember Goodman moved that the Council adopt a resolution entering into an agreement with the Texas Department of Health for City of Austin participation in the Early and Periodic Screening and Development Testing (EPSDT) Dental Program and an Adult Denture Program. (January 11, 1979 through December 31, 1979) The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

COMMUNITY EDUCATION CONSORTIUM GOALS

Councilmember Goodman moved that the Council adopt a resolution granting the Parks and Recreation Department's request of the City Council's acceptance of Community Education Consortium Goals. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

"Community Education Consortium Goals

- I. By March 30, 1979 formulate a three (3) year plan for the Austin Community Education Program as stated in the Joint Resolution for the City Manager and Superintendent including input from Austin Community College and other agencies.
- II. The Finance Committee of the Consortium will develop a joint funding plan and procedure for the School District and City which will include a cost effectiveness statement.
- III. Through input from Consortium and Council members, plan and implement training sessions, workshops or retreat that will insure a continuous learning and growth process for members of the Consortium and Councils. This process will begin immediately, November 1978. Areas to be covered would include advisory committee guidelines and roles, steps for problem solving from campus to consortium, etc.
- IV. Through a plan decided on by the consortium membership there would be regular communication between Consortium and City Council and School Board with regard to Community Education."

INTERLOCAL ASSISTANCE AGREEMENT

Councilmember Goodman moved that the Council postpone until January 11, 1979, consideration of authorizing the counties of Burnet, Lampasas and Williamson and the municipalities of Round Rock and Cedar Park to become parties to the Interlocal Assistance Agreement, creating the Greater Austin Area Organized Crime Control Unit. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

RENTAL REHABILITATION ASSISTANCE PROGRAM

Councilmember Goodman moved that the Council adopt a resolution granting authorization to contract with the Austin Tenants Council to implement the Rental Rehabilitation Assistance Program for the period January 1, 1979 through December 31, 1979. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

PUBLIC HEARING SET

Councilmember Goodman moved that the Council adopt a resolution setting a public hearing for January 25, 1979, at 11:00 a.m. for the purpose of obtaining citizens' views and proposals on community development and housing needs and priorities for FY 79-80. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

SETTLEMENT AUTHORIZATION

Councilmember Goodman moved that the Council adopt a resolution authorizing a settlement in Joe M. Teague, et al v. City of Austin, Case No. 237,484 in the 201st District Court of Travis County, Texas. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

ATTITUDE SURVEY PROGRAM

Councilmember Goodman moved that the Council adopt a resolution awarding a contract to International Resources and Applications of Dallas, Texas, as the technical consultant for services pursuant to an Annual Attitude Survey Program, in the amount of \$10,380. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

INCORPORATING ANNEXATIONS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE INCORPORATING CERTAIN TERRITORY ANNEXED TO THE CITY OF AUSTIN INTO APPROPRIATE VOTING PRECINCTS IN THE CITY OF AUSTIN; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Snell, Mayor McClellan, Mayor Pro Tem Cooke,
Councilmembers Himmelblau, Mullen
Noes: None
Abstain: Councilmembers Trevino, Goodman

The Mayor announced that the ordinance had been finally passed.

HUMAN RELATIONS COMMISSION

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 2-20 OF THE AUSTIN CITY CODE; PROVIDING THAT THE DIRECTOR OF EQUAL OPPORTUNITY AND TREATMENT AT BERGSTROM AIR FORCE BASE SHALL BE AN EX-OFFICIO MEMBER OF THE HUMAN RELATIONS COMMISSION; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Mayor Pro
Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen
Noes: None

The Mayor announced that the ordinance had been finally passed.

MEDICAL ASSISTANCE PROGRAM ADVISORY BOARD

Mayor McClellan introduced the following ordinance:

AN ORDINANCE CREATING A MEDICAL ASSISTANCE PROGRAM ADVISORY BOARD; PROVIDING FOR THE APPOINTMENT TO AND COMPOSITION OF SAID BOARD; PROVIDING RESPONSIBILITIES OF THE BOARD; PROVIDING FUNCTIONS OF THE BOARD; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Mayor Pro
Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen
Noes: None

The Mayor announced that the ordinance had been finally passed.

SPEED ZONES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SUBSECTIONS (a), (c) AND (d) OF SECTIONS 21-42 OF THE AUSTIN CITY CODE OF 1967, MAKING CERTAIN DELETIONS AND ADDITIONS TO SAID SUBSECTIONS, THEREBY DECLARING THE MAXIMUM PRIMA FACIE SPEED LIMITS UPON CERTAIN STREETS AND HIGHWAYS WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS" (VERNON'S ANN. CIV. ST., ART. 6701d); REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Montopolis, 1st Street, 5th Street, East 7th Street, Airport Boulevard)

Councilmember Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Mayor Pro
Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen
Noes: None

The Mayor announced that the ordinance had been finally passed.

SPICEWOOD SPRINGS ROAD IMPROVEMENTS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY.
(Spicewood Springs Road, Phase 1-A. CAPITAL IMPROVEMENT PROJECT NO. 73/62-23)

Councilmember Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Mayor Pro
Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen
Noes: None

The Mayor announced that the ordinance had been finally passed.

PUBLIC HEARING SET

Mayor McClellan introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE

PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:00 O'CLOCK A.M. ON THE 22ND DAY OF FEBRUARY, 1979, IN THE CITY OF AUSTIN MUNICIPAL ANNEX, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (Spicewood Springs Road, Phase 1-A. CAPITAL IMPROVEMENT PROJECT No. 73/62-23)

Councilmember Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Mayor Pro
Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen
Noes: None

The Mayor announced that the ordinance had been finally passed.

SIGNS ON MOPAC AND LOOP 360

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SUBSECTION (h) OF SECTION 3-5 OF CHAPTER 3 OF THE AUSTIN CITY CODE OF 1967 AS ORIGINALLY ESTABLISHED BY ORDINANCE NO. 751211-B AND AS AMENDED BY ORDINANCE NO 780302-A PROVIDING FOR INTERIM SIGN CONTROLS ALONG MO-PAC BOULEVARD AND LOOP 360 BY EXTENDING SUCH CONTROLS UNTIL JUNE 30, 1979; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Mayor Pro
Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen
Noes: None

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

AN APPROXIMATE 6.0 ACRE TRACT OF LAND, LOCALLY KNOWN AS 7509 EAST MARTIN LUTHER KING BOULEVARD, ALSO BOUNDED BY NIXON LANE; FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Richard S. Pryor and John N. Ramsey, C14-78-152)

Councilmember Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Mayor Pro
Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 1.1622 ACRE TRACT OF LAND, SAVE AND EXCEPT A 15-FOOT STRIP OF LAND WHICH IS HEREBY ZONED FROM "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT, LOCALLY KNOWN AS 2619-2633 WESTERN TRAILS BOULEVARD AND 4612-4618 SAGEBRUSH; FROM "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Bill Milburn, Inc., C14-78-191)

Councilmember Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Mayor Pro
Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen
Noes: None

The Mayor announced that the ordinance had been finally passed.

PUBLIC HEARING RESET

Councilmember Mullen moved that the Council reset the Public Hearing scheduled for January 25, 1979, to February 1, 1979, to consider passage of ordinance in connection with paving assessments to be levied on Riverside Drive. (Mayor McClellan had requested this change.) The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem Cooke,
Councilmembers Goodman, Himmelblau, Mullen, Snell
Noes: None

ANNOUNCEMENT

Councilmember Snell commented that Bob Garrett's appearance before Council would be at 2:00 p.m. This announcement, he said, is for the benefit of Mr. Garrett's friends who may have thought he would appear at 10:00 A.M.

SELECTION OF ARCHITECTURAL SERVICES

Council had before it a resolution to select Architectural Services for Auditorium Dome and Ceiling Repairs. C.I.P. No. 79/80-02.

Councilmember Trevino had some questions. He wanted a breakdown on the amount of money that has been awarded to these three firms, and have these firms received any contract with the City before and if so in what amount? Mr. A. M. Eldridge, Director of the City Construction Management Department, said, in answer to Councilmember Trevino's question, that the prime recommended firm for this project did have a contract with the transit facility. He went on to say that the architectural fee for that project was about \$120,000. Councilmember Trevino said that he knew of two of the firms that were under consideration for this project had previously been awarded contracts with the City of Austin. Mr. Eldridge said that any of the three firms that were considered by the City were qualified, but the firm of Wilson, Stoeltje, and Martin had more experience and had been highly recommended.

Councilmember Himmelblau then asked Mr. Eldridge if there are any contingency plans to do this sort of repair when a building like this is built? Mr. Eldridge explained that the work on the dome is not considered as being a serious project, that actually it is a nuisance job, such as removal of caulking on the roof and putting in fresh materials. City Manager Dan Davidson asked Mr. Eldridge at this time if he recalled the name of the firm who constructed the Auditorium and Mr. Eldridge answered that it was the firm of John Stokes.

Motion

Councilmember Himmelblau moved that the Council adopt a resolution to select the Architectural Services of Wilson, Stoeltje and Martin for Auditorium Dome and Ceiling Repairs. CAPITAL IMPROVEMENT PROJECT NO. 79/80-02. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

ANNUAL ATTITUDE SURVEY PROGRAM

Council had before it an ordinance to consider amending the Operating Budget to provide \$10,380 for an Annual Attitude Survey Program. Mayor Pro Tem Lee Cooke asked for a personnel employee to comment on this issue, and Quen Cole did so. She said, "The recommendation that you have before you is from the employee task force that was formulated early last summer and it gave a report to you in July. Basically the report that was presented in July said that the task force strongly supported the concept of an attitude survey and felt that a survey could yield tremendous benefits for the City of Austin and for City of Austin employees.

Councilmember Mullen asked at this point where this task force originated, and Ms. Cole said, "The Personnel Department made a recommendation in March, 1978, basically outlining what an attitude survey could do, what the concept was, and recommended at that time that a task force be named to develop the objectives for a survey and to formulate the survey process and that task force was named and the first report the task force made to you was in July. At that time the task force represented the objectives that they had developed for the survey and the primary of those objectives of course were improving the communications of employee and employer in the City of Austin. The task force also recommended at that time that outside technical assistance be used in the survey process. This was for a number of reasons, one was to lend objectivity to the survey process and another reason was that staff does not have expertise or experience in attitude survey and the task force felt that this kind of expertise was needed, particularly in the development of the survey questionnaire and in the analysis of the survey results. In these particular areas, it was particularly important that technical assistance be used and that is why we are asking for help. The task force has worked to develop the survey objectives, they will continue working with the consultants to design the questionnaire."

Councilmember Snell asked if Ms. Cole knew of any other cities that might have tried this tool to improve relationships of employee-employer. Ms. Cole said that several other cities have. The City of Dallas regularly uses employee survey and did use outside resources. The cities of San Antonio, Garland, Denton all conducted these surveys. Mr. Snell asked if the results of these surveys in other cities were positive or negative? Ms. Cole stated that all the cities we have talked to have indicated that an attitude survey pays for itself many times over. The results have been very positive in improving communication, productivity, and efficiency of operations.

Councilmember Mullen said Council had been asked to be extremely careful about projects such as this. He said it is his understanding the City Charter makes it pretty clear the Council has no right to any information which would be acquired from such a survey and it would have to come from the City Manager. Mr. Davidson answered to the affirmative. Mr. Mullen expressed concern about delving into personnel problems and said it is not Council's place to do so. Mr. Davidson said at the time this was brought up Mr. Cooke made a number of

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statements in recommending Council adopt such a procedure. In one statement Mr. Cooke used repeatedly, is, this survey could become a good management tool and under the Charter the personnel policy changes are to be recommended by the City Manager to City Council. Mr. Davidson went on to say he has the impression Mr. Cooke "wanted us to be able to make use of these attitudes in connection with future recommendations that I would bring to the Council regarding personnel policies, but Mr. Mullen, in connection with your question, we would certainly address this very carefully so that Council would be able to have an indication of the results of the survey in a way and manner that would not constitute a violation of the Charter."

Mayor McClellan spoke at this point saying, "What was originally submitted on these proposals, there were some concerns about cost, about proposals, there were discussions, and then if I understand correctly Purchases and Stores contacted back these respondents, each person wanted to respond." Ms. Cole said changes had been made and each individual was provided the same kind of opportunity and each respondent was contacted, to which Mayor McClellan said, "right, the only reason I wanted to bring this up is this strikes me as being the pharmaceutical contracts all over again and everybody all over the City has been screaming and hollering about and what difference is there from this and that one?" Mr. Davidson said there is no difference, and Mayor McClellan said, "That's precisely why I want to bring this up. Nobody is hollering about this, but the procedure is the same. It is a professional contract. We were all in here rejecting bids and sending everything back and all that sort of thing a few weeks ago because of the procedure which is exactly the same as the pharmaceutical contract, the only difference being nobody is hollering." Councilmembers Goodman and Snell voiced their opinions saying there was a difference, being that Council was told this information in the agenda this time as they were not in the other case. After further discussion between the Mayor and Councilmembers Goodman and Snell, Mr. Davidson spoke up in favor of the Attitude Survey, saying it is a good tool for management to have. He said he concurred in the idea at the time it was first brought to the Council and concurred as he discussed with staff the need to go ahead and complete their deliberations and make a recommendation to Council.

Mayor McClellan introduced the following ordinance:

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro
Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen
Noes: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

ZONING HEARINGS

Mayor McClellan announced Council would hear zoning cases scheduled for 10:00 a.m. Pursuant to published notice thereof, the following zoning cases were publicly heard:

FRANCES E. BENOIT C14-78-202	111 and 113 Sandra Street	From "LR" Local Retail 1st Height and Area To "C" Commercial 1st Height and Area RECOMMENDED by the Planning Commission
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Councilmember Trevino moved that the Council grant "C" Commercial, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Trevino, Mayor
McClellan, Mayor Pro Tem Cooke
Noes: None
Not in Council Chamber when roll was called: Councilmembers
Mullen, Snell

The Mayor announced that the change had been granted to "C" Commercial, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

ALLIED DEVELOPMENT COMPANY By Thomas Cummins C14-78-206	7000 Ed Bluestein Boulevard	From "GR" General Retail 1st Height and Area To "GR" General Retail 2nd Height and Area RECOMMENDED by the Planning Commission
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Councilmember Trevino moved that the Council grant "GR" General Retail, 2nd Height and Area, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Trevino, Mayor
McClellan, Mayor Pro Tem Cooke
Noes: None
Not in Council Chamber when roll was called: Councilmembers
Mullen, Snell

The Mayor announced that the change had been granted to "GR" General Retail, 2nd Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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THOMAS H. BARNETT
AND WILLIAM A.
HIBBERT, JR.
By Phil Mockford
C14-78-208

12568 Research Boulevard

From Interim "AA" Residence
1st Height and Area
To "GR" General Retail
except for South 120 feet and
"O" Office on South 120 feet,
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Trevino moved that the Council grant "GR" General Retail, 1st Height and Area District, except for the south 120 feet, and "O" Office, 1st Height and Area District on the south 120 feet, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Trevino, Mayor
McClellan, Mayor Pro Tem Cooke

Noes: None

Not in Council Chamber when roll was called: Councilmembers
Mullen, Snell

The Mayor announced that the change had been granted to "GR" General Retail, 1st Height and Area District, except for the south 120 feet, and "O" Office, 1st Height and Area District on the south 120 feet, and the City Attorney was instructed to draw the necessary ordinance to cover.

WILLIE R. AND
CERESA NUNN
By Oliver Street
C14-78-213

2917 East 12th Street

From "A" Residence
1st Height and Area
To "GR" General Retail
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Trevino moved that the Council grant "GR" General Retail, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Trevino, Mayor
McClellan, Mayor Pro Tem Cooke

Noes: None

Not in Council Chamber when roll was called: Councilmembers
Mullen, Snell

The Mayor announced that the change had been granted to "GR" General Retail, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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RPC INVESTMENT
COMPANY
By Graves,
Dougherty, Hearon,
Moddy & Garwood
C14-78-223

Pleasant Valley Road

From Interim "A" Residence
1st Height and Area
To "O" Office
3rd Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Trevino moved that the Council grant "O" Office, 3rd Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Trevino, Mayor
McClellan, Mayor Pro Tem Cooke
Noes: None
Not in Council Chamber when roll was called: Councilmembers
Mullen, Snell

The Mayor announced that the change had been granted to "O" Office, 3rd Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

TEXAS PUBLIC
EMPLOYEES ASSOC.
By Jess Irwin, Jr.
C14-78-204

508 and 506 East 11th
Street

From "B" Residence
3rd Height and Area
To "C" Commercial
3rd Height and Area
RECOMMENDED by the Planning
Commission

Mr. Lillie, Director of Planning, reviewed the zoning application. Mayor Pro Tem Cooke was concerned about the visual corridor to the State Capitol and wanted to be certain this would not restrict the view. He viewed the proposed plan for the building and approved it. Councilmember Goodman asked if it could be passed as "C" Commercial, 1st Height and Area District. Mr. Lillie said it could be, and the applicant was agreeable. Councilmember Himmelblau asked how much 3rd Height and Area is zoned in the area that has not been built out. Mr. Lillie said he would get the information.

Councilmember Trevino moved that the Council grant "C" Commercial, 1st Height and Area District. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman
Noes: None

The Mayor announced that the change had been granted to "C" Commercial, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

Mayor McClellan introduced the following ordinance on an emergency basis:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 2, BLOCK 139, ORIGINAL CITY, AND 10 FEET OF VACATED ALLEY, LOCALLY KNOWN AS 506 AND 508 EAST 11TH STREET; FROM "B" RESIDENCE, THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS AND DECLARING AN EMERGENCY. (Texas Public Employees Assoc., C14-78-204)

Councilmember Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately, on an emergency basis. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman

Noes: None

The Mayor announced that the ordinance had been finally passed on an emergency basis.

ROBERTA P. CRENSHAW
By Graves, Dougherty
Hearon, Moody &
Garwood
C14-78-220

2713-2517 Montopolis
Road, also bounded to
the southeast by Ben
White Boulevard

From Interim "A" Residence
1st Height and Area
To "DL" Light Industrial
1st Height and Area
RECOMMENDED by the Planning
Commission subject to a re-
strictive covenant as agreed to
by applicant that the use not
be more than "C" until a
Planned Development Area is
filed.

Mr. Lillie stated, "The Planning Commission did not require 10 feet of right-of-way on Montopolis. It was in the Minutes and the applicant did agree. They will agree with 10 feet of right-of-way on Montopolis."

Councilmember Goodman moved that the Council grant "DL" Light Industrial, 1st Height and Area, as recommended by the Planning Commission, subject to conditions, plus requirement of 10 feet of right-of-way on Montopolis. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau

Noes: None

The Mayor announced that the change had been granted to "DL" Light industrial, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

LANDLOCK, LTD.
By Graves, Dougherty
Hearon, Moody &
Garwood
C14-78-222

8517 Balcones

From "DL" Light Industrial
1st Height and Area
To "DL" Light Industrial
2nd Height and Area
RECOMMENDED by the Planning
Commission "DL" Light Industrial, 2nd
Height and Area for buildings only with
the further restriction for one-third of
the tract to have a 50-foot building
setback; one-third 70-foot building set-
back; and one-third 90-foot building
setback from the property line along
MoPac and a restrictive covenant limiting
all signs to 1st Height and Area.

Councilmember Goodman moved that the Council grant "DL" Light Industrial, 2nd Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

The Mayor announced that the change had been granted to "DL" Light Industrial, 2nd Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

RICHARD FRAZIER
By James &
Thompson
C14-78-211

6608 South Congress
Avenue

From Interim "A" Residence
1st Height and Area
To "GR" General Retail
1st Height and Area
NOT Recommended
RECOMMENDED by the Planning
Commission "GR" General Retail, 1st Height
and Area District to line up with the
adjacent property and the balance to be
"A" Residence, 1st Height and Area.

Mr. Lillie reviewed the presentation with slides. Applicant did not appear at this time. MR. R. B. CRYER, a member of the neighborhood, appeared and said that the owner desires parking, but no access to Circle S. Council unanimously decided to postpone action until the applicant has been contacted.

Later, MR. P. M. BRYANT, representing the applicant, appeared and said he had talked to the neighbors regarding any objections and worked out an agreement with them to zone "O" in the back with a restriction of 5 foot of "A" Residence along Circle S to keep them from exiting off there, plus either putting up a privacy fence or hedgerow around the house that now exists which is used as a residential rent house. Mayor McClellan told him that Mr. Cryer had been in the Council Chamber earlier to concur with Mr. Bryant's request. Mr. Cryer again

appeared and said that if the house is fenced off and no driveway exits on Circle S, the neighborhood would approve the zoning change. MR. ROBERT DOUGLAS, who lives across the street from the land under consideration, stated to Council that he is against changing residential to anything but that, but said that if Mr. Cryer is agreeable to the zoning change, then he is too.

Councilmember Mullen moved that the Council grant "O" Office, 1st Height and Area District, with "GR" General Retail, 1st Height and Area District on the west side fronting Congress with a fence on rear property line and south property line on Circle S Road side with 5 feet of "A" Residence on the same three property lines which would keep building and parking 5 feet off the property line with the fence, and no driveways to Circle S. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, with "GR" General Retail, 1st Height and Area District on the west side fronting Congress, subject to conditions, and 5 feet of "A" Residence on the same three property lines, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

RALPH EVERHARD
By Tina Trochta
C14-78-215

6413-6401 Circle S
Road

From Interim "A" Residence
1st Height and Area
To "C" Commercial,
"O" Office and
"A" Residence
1st Height and Area
NOT Recommended
RECOMMENDED by the Planning
Commission "O" Office, 1st Height and Area
with a 30-foot buffer strip of "A"
Residence on the north and east and the
fence to remain as had been agreed to by
the applicant. (as amended)

Mr. Lillie, Director of Planning, reviewed the application by use of slides. Councilmember Himmelblau asked why staff recommended it remain "A" Residence, 1st Height and Area. Mr. Lillie stated that the predominant zoning in the area continues to be "A" residential. The only non-residential zoning in the area is on South Congress Avenue, so they did not feel the conditions had changed. MS. TINA TROCHTA appeared before Council to state she had a letter from all of the residents of Circle S Road stating they do not oppose re-zoning. She said that the size and location of the lot makes it difficult to do anything with it other than a zoning which would lend to the use of the improvements that are on the property. She said there is no specific buyer for the property at present, but wants the zoning to be agreeable for the City and the neighborhood and a buyer.

MR. WOODROW SLEDGE, representing the Austin Independent School District, appeared in opposition to the escalation of zoning next to a school site, and said he is in agreement with the Planning Commission's recommendation.

Councilmember Goodman moved that the Council grant "O" Office, 1st Height and Area District, with a 30-foot buffer strip of "A" Residence, 1st Height and Area District, on the north and east and the fence to remain as had been agreed to by the applicant, (as amended), as recommended by the Planning Commission. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Snell
Noes: Councilmember Mullen
Abstain: Councilmember Trevino

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, with a 30-foot buffer strip of "A" Residence, 1st Height and Area District on the north and east, subject to conditions, (as amended), and the City Attorney was instructed to draw the necessary ordinance to cover.

CATFISH PARLOUR INC. & DAVID KERBOW By Tom Curtis C14-78-217	12001-12003 Highland Oaks Trail 11928-11932 Arabian Trail 11910-11922 Highway 183	From Interim "AA" Residence 1st Height and Area To "GR" General Retail 1st Height and Area NOT Recommended RECOMMENDED by the Planning Commission five feet of "A" Residence, 1st Height and Area, at the southern- most boundary, followed by 25 feet of "O" Office, 1st Height and Area, and the remainder to be zoned "GR" General Retail, 1st Height and Area.
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Mr. Lillie reviewed the application with slides. Mr. Tom Curtis, representing the applicant, stated for the record that all curb cuts have been closed on Arabian Trail. He also stated that a requirement was not made for a fence but his client has agreed with the neighbors to put up a fence. Mr. Curtis explained the fence would be up in about 90 days.

REVEREND WEISS, who lives in the neighborhood, appeared to state that the neighborhood is fully in accord with the agreement made.

Councilmember Goodman moved that the Council grant five feet of "A" Residence, 1st Height and Area at the southernmost boundary, followed by 25 feet of "O" Office, 1st Height and Area District and the remainder to be zoned "GR" General Retail, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Mullen, Snell, Trevino, Mayor McClellan
Noes: None

The Mayor announced that the change had been granted to five feet of "A" Residence, 1st Height and Area District at the southernmost boundary, followed by 25 feet of "O" Office, 1st Height and Area District, and the remainder to be zoned "GR" General Retail, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

R. W. ELLMER,
J. TIM BROWN &
RICHARD R. BROWN
By William L.
Garwood
C14-78-168

6813-7121 South Congress

From "B" Residence, 1st Height
and Area (Tract 1) and
"BB" Residence, 1st Height
and Area (Tract 2)
To "O" Office
1st Height and Area
NOT Recommended

RECOMMENDED by the Planning
Commission "O" Office, 1st Height and Area,
with 25 feet of "A" Residence on the rear
of easternmost property line and to accept
applicant's offer of 6-foot privacy fence
and restrictive covenant provisions.

Councilmember Trevino moved that the Council grant "O" Office, 1st Height and Area District with 25 feet of "A" Residence on the rear of easternmost property line and to accept applicant's offer of six-foot privacy fence and restrictive covenant provisions, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell,
Trevino, Mayor McClellan, Mayor Pro Tem Cooke
Noes: None

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, with 25 feet of "A" Residence on the rear of easternmost property line, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

S. W. RUFF LAND
DEVELOPMENT
TRUST
By Raymond Tubbs
C14-78-210

7501 North Lamar Boulevard

From "A" Residence, 1st Height
and Area
To "C" Commercial, 1st
Height and Area
NOT Recommended

RECOMMENDED by the Planning
Commission "GR" General Retail, 1st Height
and Area, save and except for five feet
at the easternmost boundary which should
remain "A"; dedicate 5 feet of right-of-
way along Crestland Drive.

Councilmember Trevino moved that the Council grant "GR" General Retail, 1st Height and Area District, save and except for five feet at the easternmost boundary which should remain "A" Residence, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Mayor Pro Tem Cooke
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail, 1st Height and Area District, save and except for five feet at the easternmost boundary which should remain "A" Residence, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

BEN WHITE BOULEVARD,	5820-6220 Ben White	From Interim "AA" Residence
NO. 1 & LARRY J.	Boulevard	1st Height and Area
KUBALA, ET UX,	3100-3208 Montopolis	To "C" Commercial
ANDREW FRANKLIN	Drive	1st Height and Area
HARRIS, ET UX, &	6010-6210 Daffodil	NOT Recommended
WILLIAM J. ZETT,	Drive	RECOMMENDED by the Planning
ET UX		Commission five feet of "A" Residence
By John T. Jones		along and adjacent to Daffodil, 45 feet
C14-78-214		of "O" Office and the balance "C"
		Commercial; that ten feet of right-of-way
		be dedicated for Montopolis Drive as
		agreed to by the applicant.

Councilmember Trevino moved that the Council grant five feet of "A" Residence along and adjacent to Daffodil, 45 feet of "O" Office and the balance "C" Commercial, 1st Height and Area District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Mayor Pro Tem Cooke
Noes: None

The Mayor announced that the change had been granted to five feet of "A" Residence along and adjacent to Daffodil, 45 feet of "O" Office, 1st Height and Area District, and the balance "C" Commercial, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

Historic Zonings

BUAAS HOUSE
By City of Austin
C14h-78-047

708 Patterson Avenue

From "A" Residence
1st Height and Area
To "A-H" Residence-Historic
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Goodman moved that the Council accept finding of fact a, d, g, h, i, k, l, m and grant "A-H" Residence-Historic, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem
Cooke, Councilmembers Goodman, Mullen, Snell

Noes: None

Not in Council Chamber when roll was called: Councilmember
Himmelblau

The Mayor announced that the change had been granted to "A-H" Residence-Historic, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

MANSBENDEL-
WILLIAMS
By Dorothy Richter
C14h-78-048

3824 Avenue F

From "A" Residence
1st Height and Area
To "A-H" Residence-Historic
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Goodman moved that the Council accept finding of fact a, c, e, f, g, h, i and grant "A-H" Residence-Historic, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem
Cooke, Councilmembers Goodman, Mullen, Snell

Noes: None

Not in Council Chamber when roll was called: Councilmember
Himmelblau

The Mayor announced that the change had been granted to "A-H" Residence-Historic, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

KOPPERL HOUSE
By Dorothy Richter
C14h-78-049

4212 Avenue F

From "A" Residence
1st Height and Area
To "A-H" Residence-Historic
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Goodman moved that the Council accept finding of fact a, d, f, h, l, m and grant "A-H" Residence-Historic, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem
Cooke, Councilmembers Goodman, Mullen, Snell
Noes: None
Not in Council Chamber when roll was called: Councilmember
Himmelblau

The Mayor announced that the change had been granted to "A-H" Residence-Historic, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

BRASS-GODDARD
By City of Austin
C14h-78-051

1108 West 9th Street

From "B" Residence
2nd Height and Area
To "B-H" Residence-Historic
2nd Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Goodman moved that the Council accept finding of fact a, d, f, h, i, k, l, m and grant "B-H" Residence-Historic, 2nd Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem
Cooke, Councilmembers Goodman, Mullen, Snell
Noes: None
Not in Council Chamber when roll was called: Councilmember
Himmelblau

The Mayor announced that the change had been granted to "B-H" Residence-Historic, 2nd Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

Zoning Cases Postponed

The following zoning cases were postponed:

MR. WALTER
ANGERMAN
By Edgar James
C14-78-225

1804 Mariposa

From "A" Residence and
Interim "A" Residence
1st Height and Area
To "BB" Residence
1st Height and Area
NOT Recommended by the Plan-
ning Commission. An amendment
was made to include "A" for
only that portion which is
zoned Interim "A".

Councilmember Trevino moved that the Council postpone the case as request by the applicant until February 8, 1979 at 10:00 a.m. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Mayor Pro
Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen
Noes: None

The Mayor announced that the zoning case had been postponed.

GEORGE W. ALLEN
By Jeryl Hart
C14-78-197

5800 Block of Balcones
Drive

From Interim "A" Residence
1st Height and Area
To "A" Residence, 1st Height
and Area (Tract 2) and
"O" Office, 1st Height and
Area (Tract 1)
NOT Recommended
RECOMMENDED by the Planning
Commission "O" Office, 1st Height and Area,
to a depth of 200 feet with a 25-foot
strip of "A" Residence buffer on the
northern and western boundary of Tract 1,
the balance of Tract 1 be included in
Tract 2, and that Tract 2 be zoned "AA"
Residence, 1st Height and Area.

Councilmember Trevino moved that the Council postpone the case as requested by the applicant until January 25, 1979 at 10:00 a.m. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Mayor Pro
Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen
Noes: None

The Mayor announced that the zoning case had been postponed.

January 4, 1979

JOHN H. GRIGGS
C14-78-093

2100 Payne, also
bounded by Laird
Street

From "A" Residence
1st Height and Area
To "O" Office
1st Height and Area
NOT Recommended by the
Planning Commission

Mr. Lillie reviewed the application by use of slides and stated there is a valid petition on file. MR. JOHN H. GRIGGS, applicant, told Council he wants the zoning change so he can operate a small business to supplement income from his Social Security check. He repairs and sells various things. He asked that, if the zoning is not changed, he be allowed, by Council action, to continue his home operated business under the present zoning. MRS. JOHN H. GRIGGS appeared and also requested Council's consent for a zoning change or action to allow him to continue his business at the present site. Mayor McClellan wondered if there could be a restrictive covenant to zone "O" Office as long as Mr. Griggs is in business, but to roll back to "A" if he no longer continues his business at that site. At this point Councilmember Himmelblau reminded Council that they had asked for a Home Occupation Ordinance several months ago and wondered where it is.

Mr. Lillie told her that several drafts have been considered with the Legal Department and so far none have been approved. He also stated that a public hearing was set with the Planning Commission "at which the buzz saw hit and it hit because there are a lot of people in the community carrying on businesses in their homes and they feel if the ordinance is passed, the Building Inspection Department would be out the following day closing them down. They were informed by the Commission that they are currently illegal. Businesses are not permitted in the home. And as a result of that public hearing the Commission has done no further work on that ordinance."

Councilmember Himmelblau commented, "I'm sorry the Commission was backed down by people they were trying to protect."

Councilmember Mullen felt that Council should direct the Planning Commission to take up the matter of the Home Occupation Ordinance within the next 30 days and get a decision. Councilmember Himmelblau wondered if they could defer action on this case and allow Mr. Griggs to continue. She said she does not want to grant a change in zoning but would like him to continue his work. Mr. Lillie suggested the Council put its decision on this case on hold for 60 days until the Planning Commission comes back with a recommendation.

MR. FRED HILFORD, neighbor of Mr. and Mrs. Griggs, stated that the Griggs home is a showplace of gardens and flowers and that they only open their garage to display what there is to sell. He urged they be allowed to continue in business.

MRS. C. T. DOTSON, 6512 Laird Drive, told Council she has nothing against Mr. Griggs, but is against the zoning change.

MR. J. C. BATEMAN, 2313 Karen, objects to a zoning change but does not object to Mr. Griggs' business as a controlled situation.

MR. HOMER WILLIAMS, 6600 Laird Drive, told Council he does not want the zoning change, and stated that Mr. Griggs keeps his backyard cluttered most of the time. He suggested he be assisted to move his business to Burnet Lane. Mr. Williams also told Council he is against business in a residential neighborhood. Mr. Griggs returned to the podium to state that his yard does not look as deplorable as Mr. Williams suggested.

Further discussion continued until the motion to postpone the decision was made and voted upon. Mayor McClellan stated the next time this zoning case would be heard would be at an evening meeting and asked Mr. Lillie to inform the people involved accordingly.

Councilmember Mullen moved that the Council postpone the zoning case until the Home Occupation Ordinance is brought back, and that it be heard at a night meeting. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman

Noes: None

The Mayor announced that the zoning case had been postponed.

Zoning Cases Denied

The following zoning cases were heard and denied by Council:

BRONISLAW	412-500 Stassney Lane	From "O" Office
PUSCHMAN		1st Height and Area
By Rose Puschman		To "GR" General Retail
C14-78-203		1st Height and Area
		NOT Recommended by the
		Planning Commission

Mr. Lillie reviewed the application by use of slides. MRS. ROSE PUSCHMAN appeared and told Council she has been trying to sell the land, and has now been offered a good price if it can be zoned "GR" General Retail. Councilmember Goodman noted that the land next door is "GR" and the land across the street is "LR" Local Retail, so denial of the zoning seems inconsistent. Councilmember Himmelblau asked if there has been any thought to buffering across the back and using "LR" in the front. Mr. Lillie said they had not looked at other options because they did not feel there was any change in condition at the site which would warrant change in zoning. Mr. Lillie said the main reason was that they did not want to extend intensified zoning to the east. Councilmember Himmelblau asked, "You could have "LR" usage with Special Permit on this couldn't you?" Mr. Lillie stated that it could be done. Mrs. Puschman said she had been told about this but did not quite understand its ramifications. Councilmember Himmelblau told her that she wanted her to know that "LR" can be used on the land with Special Permit because it's next to "GR". Mr. Lillie told Council he will mail a letter to Mrs. Puschman explaining the Special Permit process.

Councilmember Goodman moved that the Council DENY the zoning change, as recommended by the Planning Commission. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

The Mayor announced that the zoning case had been DENIED.

JAMES A. & LETHA
E. CALHOUN
C14-78-218

309-313 East Rundberg
Lane

From "A" Residence
1st Height and Area
To "C" Commercial
1st Height and Area
NOT Recommended by the
Planning Commission

Mrs. Grace Monroe, City Clerk, told Council that there had been a request to postpone the above zoning case yesterday. Mr. Calhoun had called the City Clerk's office and she told him he would have to be present at the Council meeting to request postponement. The applicant was not present. Mr. Lillie reviewed the application. No one appeared to represent the applicant so Mayor McClellan stated: "For the record, reflect that the applicant was told he needed to be here to request postponement."

Councilmember Trevino moved that the Council uphold the recommendation of the Planning Commission and DENY the zoning change. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Mullen

Noes: None

Not in Council Chamber when roll was called: Councilmember Himmelblau

The Mayor announced that the zoning change had been DENIED.

EXECUTIVE SESSION

Mayor McClellan announced that Council would convene at 1:45 p.m. in a closed or executive session authorized by Section 2, Paragraphs (e), (f) and (g) of Article 6252-17, Texas Revised Civil Statutes Annotated; and after such closed or executive session, any final action, decision or vote with regard to any matter considered in the closed or executive session will be made in open session, should such action, decision or vote be necessary.

RECESS

Council recessed its regular meeting at 11:55 a.m. and resumed its meeting at 2:50 p.m.

CITIZENS COMMUNICATION POSTPONED

Dr. and Mrs. Eugene Schoch, Dr. Susan Wittig and Jerry Matthews, who had requested to appear to discuss recent approval of a recycling depot on 23rd Street, postponed their appearance until January 11, 1979.

CITIZEN COMPLAINT

MR. BOB GARRETT requested to appear before Council to discuss Chief of Police and a change in the City Charter. His complaint was that the Police Department has discouraged he and his friends from smoking pot, drinking wine and gambling in Givens Park.

APPROACH MAIN CONTRACT

Council had before it for consideration the approval of the following Five-Year Approach Main Contract:

REPUBLIC NATIONAL BANK

- To purchase the wastewater approach main (Williamson Creek) to Scenic Brook West Subdivision - \$913,938.11

Councilmember Goodman asked Mr. Curtis Johnson, Director of Water and Wastewater, how many people were going to be served with the 21-inch line when the estimate was made at the time the approach main was proposed; and how many are going to be served under the 30-inch line? Mr. Johnson answered, "The 21-inch size was derived by estimating the size line required for the remaining part of the Williamson Creek drainage area which would drain by gravity into this system. The 21 inch size was simply a bust in the estimate to serve the remaining part of that drainage area at full development." He went on to say that at the beginning, when the proposal was made the information was very preliminary. Councilmember Goodman wondered why, when it was known that a 30-inch line was needed, the City Manager was not informed and subsequently, the Council. Mr. Johnson replied the staff used the same procedure it always had, and the same number of people will be served.

Councilmember Mullen asked questions of Daron Butler, Budget Director, concerning increment fees, and concluded by saying the Council wants to know when there will be a cost overrun of a substantial amount. Councilmembers had further discussion on the approach main policy; and cost and size of the one to Scenic Brook West.

MR. JERRY ANGERMAN, developer of Scenic Brook West, stated he did not know why the line was increased from 21-inch to 30-inch; not that he disagreed with size increase or cost, but wondered about the reason behind it. Mr. Angerman said that he could not tap the line because he cannot get a plat. Mr. Davidson, City Manager, asked him what is holding up the plat. Mr. Angerman replied that he was disapproved because of his letter of credit...he loans himself his own money, and this is not the approved procedure for a letter of credit. He said he is supposed to turn in a letter of credit from another bank. Mr. Davidson told him there is a way to comply, by doing as regulations state.

Discussion continued between Council, Mr. Johnson, Mr. Angerman and Mr. Davidson concerning Scenic Brook West, Covered Bridge West and Convict Hill areas. Councilmember Goodman concluded the discussion by saying that the approach main procedure was obviously defective.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN APPROACH MAIN CONTRACT WITH REPUBLIC NATIONAL BANK; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor McClellan

Noes: Councilmember Trevino

The Mayor announced that the ordinance had been finally passed.

Councilmember Goodman stated that a definite revision to the approach main policy is needed and requested this item be on next week's agenda. He said a stipulation should be included whereby an increase of 10% or more in the cost of an approach main should require notification to Council.

PARKS AND RECREATION BOARD REPORT

Mr. Barrett Garrison, Parks and Recreation Board, presented a report on the lowering of Lake Austin during the month of January or February 1979, in order to cut out duck weed. Councilmember Himmelblau asked if they could obtain money to do so from the homeowners who are not in the corporate limits who benefit from the lake, and suggested they be contacted. Mr. Garrison said he would pursue this. Mayor McClellan stated the request to lower Lake Austin has already been turned down by LCRA, and the request to them had been made without her knowledge. She said she would be happy to visit with Senator Herring, but it would have been easier to do so prior to the denial of the request.

AUSTIN CITY COUNCIL POLICY MANUAL

Mayor Pro Tem Cooke and Mullen introduced a plan for the "Development of an Austin City Council Policy Manual." Mayor Pro Tem Cooke stated, "I'd like this made part of the record," and referred to the following letter he had sent out:

"As a result of serving nineteen months on the Austin City Council, I have become increasingly concerned about the lack of information regarding statements of policy or positions adopted by the City Council. On many occasions policy has been established by previous City Councils, and these policies are maintained and carried out by the management staff of the City without review

by the City Council. Such a procedure is proper and complies with our City Charter. However, citizens have an opportunity every two years to select new Council members who are at times unfamiliar with previously adopted policy. Some might say that these policy statements could be easily reviewed by examining City ordinances. Unfortunately, this is a cumbersome and many times impossible research task. As a point of information there are 82 volumes of City ordinances adopted since 1945, and 29 volumes date since 1970.

"Also, as we all know, when there has been a misunderstanding between the City staff and the City Council, at times the response from staff is the 'previous Council policy' dictated that the matter be conducted as it was presented. Most recently two items come to mind. At the December 21 City Council meeting the Year End Budget Ordinance and the additional expenditure for the Scenic Brook West approach main were handled in this way.

"Today, I propose the development of a City Council policy document which will highlight every major Council policy and the date the policy was adopted. This document should be developed somewhat like our "Goals and Objectives" pamphlet and should be updated semi-annually. Initially this proposal might appear to be extremely time-consuming and costly. However, the investment is fully warranted in my opinion. I believe this is an extremely positive step to create awareness on the part of citizens, staff, and Council members to the basic ground rules with which we work."

Mayor McClellan asked, "Who's going to decide where you draw the line?" Mr. Davidson told Council, "Today we are distributing to Council a compilation of all the City's programs and it includes a number of City Council policies. I don't think it stratifies precisely what Mr. Cooke has in mind, but you might want to look at it, and I'll look at it from the standpoint of Mr. Cooke's request, and ask the City Attorney to look at it since he has had experience in codifying all the ordinances in the City. Maybe we can come up with a format that will do what you are talking about. There could be some value in compiling separately some of the new policies adopted by this or any future City Councils." Mayor McClellan said that there are old ones still in effect too, and there may be 94 more volumes in addition. Mayor Pro Tem Cooke said he is trying to give the citizens, staff and Council a working document that can be used so they are familiar with what the policies are when they are adopted. Mayor McClellan said her concern comes with something that is left out of the manual and then someone will say, "Hey, that wasn't even in our policy book...how come it wasn't...that's why we need some study on it."

Mayor Pro Tem Cooke pointed out that if they come across something which is not in the manual, as they update it semi-annually, it will be in there next time. He continued to say the manual may not be very effective to begin with, but two or three Councils from now it will be. "It may not be the best solution but I am trying to present something as a point of departure. And I would, at this time respectfully request the City Manager to recommend, by February 1, 1979, a point of departure utilizing what you just talked about as to how we could approach this. Come back with an approach as to how we can have a highlight of the policies of the Austin City Council." Councilmember Goodman thought this was a sound idea and would be particularly helpful for incoming Councilmembers. It would save them what has taken present Councilmembers 12 months to learn.

VENDING MACHINE PERMITS

Ms. Sue Edwards, Acting Director, Department of Public Health, gave the following report:

"Several months ago a bottling company questioned whether the City's ordinance regulating the sale of food and beverages through vending machines (Ordinance No. 670427-E, Section 1201) is applicable to vending machines dispensing canned and bottled drinks.

"In 1967 the City Code was amended to include adoption of the United States Public Health Service Regulation addressing the vending of food and beverages. The Health Service Code does address both perishable and non-perishable food and beverages dispensed from a vending machine; however, it does not mention canned and bottled drinks per se. At the time the ordinance was implemented, it was the interpretation from the Legal Department that anything dispensed from vending machines be covered under the Ordinance as the Ordinance addresses not only the substances vended, but also the type and care of the machine itself. Since the implementation of the Ordinance, the Health Department has been permitting and inspecting vending machines dispensing bottled and canned drinks.

"However, since it is questionable as to whether nonperishable canned and bottled drinks fall under the regulation, I asked the Legal Department to again review the situation. A survey of several cities in Texas indicate that they do not include under their ordinances canned and bottled beverages dispensed from vending machines as the care of the vending machine does not effect the potential quality of the beverage.

"The revenue collected from the vending machine program in 1978 was \$3,228. Eighty permits covering 4,707 machines were issued. The recommendation to delete vending machines dispensing nonperishable canned and bottled drinks would reduce the revenue collected by approximately \$2,280 (associated costs for inspections are minimal.)

"Taking the following facts under consideration:

1. The memo from the Legal Department,
2. The absence of specific reference to canned and bottled beverages in the Health Services regulation,
3. The survey of Texas cities on vending machine ordinances; and
4. A minimal loss of revenue,

I would recommend that as of January 1, 1979, the Health Department not require permits and not inspect machines dispensing nonperishable canned and bottled beverages.

"It is my understanding from the Legal Department that the Ordinance is written such that it would not have to be amended to accommodate this administrative change."

Councilmember Goodman moved that the Council approve the elimination of non-perishable bottles and canned goods from the Vending Machine Permit. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman
Noes: None

PROPOSED FEES FOR ZONING SIGNS

Mr. Richard Lillie, Director of Planning, gave the following report:

"Public notification of proposed zoning changes by posting signs on the site is required by Section 45, 14.3 of the Zoning Ordinance. The ordinance does not specify the party to post the signs.

"Currently, the Planning Department is responsible for the placement and removal of zoning signs on property where applications have been filed. This requires between 40-60 staff hours each month to place about 60 signs.

"We are proposing an ordinance amendment which would place responsibility for posting and removing signs with the applicant and establish a \$5 fee for the signs. Regulations on where to post the signs will be provided to the applicant.

"City staff would note placement of signs during regular zoning field checks and inform the Planning Commission if any irregularities existed at the time of the check. The Planning Commission has received copies of this proposal for an ordinance amendment and will consider it at its meeting on December 12, 1978.

"If approved, this ordinance would generate about \$3,600 annually and allow better utilization of existing staff."

Mr. Lillie said, "We would like to recommend this change in procedure and if you agree, we would ask that you refer to the Planning Commission to hold a public hearing to amend the Zoning Ordinance." Councilmember Himmelblau asked, "If they weren't in compliance when your people went out, what would you do, hold the zoning case a month until they had enough days?" Mr. Lillie answered, "I'd like Commission and Council to deal with that in a public hearing. We lose about 30% of the signs by vandalism or people just picking them up because the stake is an expensive one."

Councilmember Goodman asked, "Why don't we refer this to the Legal Department before we have a public hearing and get them to work out some general plan that we'd use when we hold a public hearing. We have to have some way, if we change the policy, where the applicant would be held responsible and I think we have to have a way of guaranteeing that they perform their duty."

It was unanimously decided to refer the matter of proposed fees for zoning signs to the Legal Department and then the Planning Commission.

ANALYSIS OF NEW COMPREHENSIVE EMPLOYMENT AND TRAINING ACT

Mr. John Hopkins, Manpower Training, reviewed the Analysis of New Comprehensive Employment and Training Act. A copy of his statements are on file in the City Clerk's Office.

OPERATION OF MANSFIELD DAM

The City Manager's Report on the recommended plan of operation for Mansfield Dam was received by Council.

ZONINGS SET FOR PUBLIC HEARING

The City Manager reported the following applications have been referred to the Planning Commission for recommendation and have been set for public hearing before the City Council on January 25, 1979.

C. H. McCOY AND W. G. McCLAIN By C. H. McCoy C14-78-226	1216 Barton Hills Drive	From "LR" Local Retail 1st Height and Area To "GR" General Retail 1st Height and Area
C. M. BUILDERS, INC. By Charles Marsh C14-78-227	1505 West 6th 1507 West 6th and 509 Powell	From "B" Residence 2nd Height and Area To "LR" Local Retail 2nd Height and Area
AUSTIN AREA TEACHERS FEDERAL CREDIT UNION By Robert Sneed C14-78-228	604-608 Denson Drive	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
JILES JACKSON C14-78-229	11935 Arabian Trail also bounded by Bell Avenue	From "AA" Residence 1st Height and Area To "O" Office 1st Height and Area
DAVID M. BRYANT, JR. By Jeffrey Friedman C14-78-230	704-706 Corral Lane 7100-7114 Mustang Trail	From Interim "AA" Residence 1st Height and Area To "C" Commercial 2nd Height and Area
JOHN McPHAUL C14-78-231	7903-8003 Manassas Drive 8008-7806 Manchaca Road	From Interim "A" Residence 1st Height and Area To "A" Residence, "O" Office, and "B" Residence 1st Height and Area

JLP DEVELOPMENT CORPORATION By Wilburn Jones C14-78-232	3501-3515 Cima Serena Drive 8416-8522 MoPac Boulevard	From "BB" Residence 1st Height and Area To "O" Office 1st Height and Area
RUDI SCHUCH ET UX By Tom Curtis C14-78-233	6903 Manchaca 1962-1924 William Cannon Boulevard	From Interim "A" Residence 1st Height and Area To "GR" General Retail 1st Height and Area
DAVID W. DRAPELA By Gerald Kucera C14-78-234	2527-2605 Western Trails Boulevard	From "BB" Residence 1st Height and Area To "O" Office 1st Height and Area
JAMES L. LOZIER C14-78-235	1106 East 31st Street	From "A" Residence 1st Height and Area To "C" Commercial (Tract 1) and "O" Office (Tract 2) 1st Height and Area
DONALD S. THOMAS, TRUSTEE By Tom Curtis C14-78-236	13740-13746 North Highway 183	From Interim "AA" Residence 1st Height and Area To "GR" General Retail 1st Height and Area
MARY BEATRICE HILL By Billy Fellows C14-78-237	11207-11215 Jollyville Road 11051-11165 Jollyville Road	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
CLYDE TROUTMAN and FORREST N. TROUTMAN C14-78-238	9529-9607 North Inter-regional Highway 9600-9608 Middle Fiskville Road	From Interim "AA" Residence 1st Height and Area To "C" Commercial "C-1" Commercial and "C-2" Commercial 1st Height and Area
KENNETH McGARY C14-78-239	807 Cumberland also bounded by Oak Crest Drive	From "A" Residence 1st Height and Area To "BB" Residence 1st Height and Area
MARVIN M. HENRY, TRUSTEE C14-78-240	2008 Koenig Lane	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
FRED EARHART, TRUSTEE By Don Bird C14-78-079	5502-5708 Interregional Highway 35	From Interim "A" Residence 1st Height and Area To "GR" General Retail 2nd Height and Area

PENDERGRASS AND HOOD, INCORP. By William Bray C14-78-177	Corner of William Cannon Drive and Copper Lane	From Interim "A" Residence 1st Height and Area To "O" Office and "A" Residence 1st Height and Area (as amended)
TRUMAN H. MONTANDON By Robert Davis C14-78-199	11201 U. S. 183	From Interim "A" Residence 1st Height and Area To "GR" General Retail 1st Height and Area and "BB" Residence 1st Height and Area
LaCHANCE INVEST- MENTS LTD. By Jim LaChance C14-78-205	3621-3629 Manchaca Road	From "O" Office 1st Height and Area To "LR" Local Retail 1st Height and Area
LENORA R. AND ALONDREA KIRKPATRICK By Ida Williams C14-78-209	4607 Ledesma Road	From "A" Residence 1st Height and Area To "LR" Local Retail 1st Height and Area
EDWARD R. RATH- GEBER AND JESSIE B. ANDERSON By Edward R. Rathgeber Jr. C14-78-212	900-1012 William Cannon Drive 6705-6709 Emerald Forest	From Interim "A" Residence 1st Height and Area To "O" Office 1st Height and Area
WOODBURN HOUSE By Hyde Park Baptist Church C14h-78-034	200 East 40th Street	From "A-H" Residence-Historic 1st Height and Area To "A" Residence 1st Height and Area
STAVELY-KUNZ HOUSE By Loree Neiman C14h-78-052	1402 East 1st Street	From "C" Commercial 1st Height and Area To "C-H" Commercial-Historic 1st Height and Area
JONES-PREWITT COMPANY By Edwin Prewitt C814-78-008	4206 Steck Avenue	From P.U.D. ("A" Residence, 1st Height and Area) To a 19-unit residential P.U.D. called "ALTA VISTA"
J.L.P. DEVELOP- MENT CORPORATION By William E. Jones C814-78-009	Cima Serena Drive Bent Tree Drive	From "BB" Residence 1st Height and Area To a 44-unit Townhouse project called "CIMA SERENA TOWNHOMES."

THE VILLAGE JOINT
VENTURE
By J. W. Smith
C14-78-224

William Cannon Boulevard
and Beckett Road

From Interim "AA" Residence
1st Height and Area
To "A" Residence
1st Height and Area (as
amended)

HURT HOUSE
By Roxanne
Williamson
C14h-78-039

2210 San Gabriel

From "B" Residence
2nd Height and Area
To "B-H" Residence-Historic
2nd Height and Area

ADJOURNMENT

Council adjourned its meeting at 4:30 p.m.

APPROVED

Carole Keeton McClellan
Mayor

ATTEST:

Grace Monroe
City Clerk